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HOUSTON CHRONICLE ARCHIVES

Paper: HOUSTON CHRONICLE**Date:** THU 04/28/2005**Section:** ThisWeek**Page:** 6**Edition:** 2 STAR**Quiet zones get federal green light / Bellaire, West U., Houston officials will shift tracks to implementation**

By ANNE MARIE KILDAY, Houston Chronicle Correspondent

A long-awaited federal rule that will allow Houston, Bellaire and West University Place to silence noisy train whistles was announced April 22.

The rule - scheduled for publication Wednesday by the Federal Railroad Administration in the Federal Register - means that the three cities' plans for implementing quiet zones along 13 intersections from Memorial Park to Willowbend can now be submitted to the federal government for consideration.

Bellaire City Manager Bernie Satterwhite said officials from the three cities are scheduled to meet Monday to discuss the proposed quiet zone implementation. It will require an inter-local agreement, which city officials have been discussing, that enables costs for supplemental safety measures be shared among the three cities.

The 13 road crossings are San Felipe, Westheimer, Richmond, U.S. 59 North frontage, U.S. 59 South frontage, Bissonnet, Bellaire, Beechnut, South Braeswood, Loop 610 East frontage, Loop 610 West frontage, Bellfort and Willowbend.

Additionally, there's a 14th private crossing owned by Center Point at the north end of the included crossings just south of Memorial Park and north of San Felipe, making it the first in the sequence.

The cities had been working on the proposed quiet zone through the offices of Houston City Council members Mark Goldberg and Pam Holm, and with a community group of residents from Houston, West U. and Bellaire.

"We are thrilled and cannot wait to wrap up our work with the cities of Houston and Bellaire to get those trains quieted as soon as possible," West U. City Manager Michel Ross said.

Ross said he thought the implementation of a quiet zone "at first seemed much more of an uphill battle until the city of Houston" got involved.

"The city of Houston had to become a proponent of making this happen," Ross said. "It's been a joy to

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see them take the lead and run with this. They really have, and we compliment the Mayor and the city council." Ross thanked Holm and Goldberg, who had said they anticipated the new rule would go into effect in late June.

Robert D. Jamison, acting administrator for the FRA, said a decade-long public comment period on the final rule had been aimed at balancing safety and quality-of-life issues.

"At every step of the process we listened closely to the concerns of the public and local officials to craft a rule that balances safety and quality of life issues," Jamison said. "Communities will have significant flexibility to establish or maintain quiet zones for the benefit of their residents, while keeping highway-rail grade crossings safe for motorists."

The Final Train Horn Rule becomes effective on June 24, and is the result of a 1994 law mandating the use of the locomotive horn at all public highway-rail grade crossings with certain exceptions.

The final rule will pre-empt applicable state laws and related railroad operating rules requiring horns be sounded.

Those laws and regulations had been cited more than two years ago, when West University Place residents Kristin Palmer and Brian Antweil first asked the West U. city council to consider establishing a train locomotive whistle ban.

Palmer and Antweil's request for a quiet zone caught the attention of residents along the Union Pacific railroad tracks in neighboring Bellaire, and soon attracted Houston residents whose neighborhoods also are divided by the railroad.

The issue became a greater concern because of increased traffic along the Union Pacific tracks in the last decade. Traffic grew from an average of about 10 trains per day in the mid-1990s to an average of about 37 trains per day last year.

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FINAL TRAIN HORN RULE

The Final Train Horn Rule provides for six types of quiet zones; ensures the involvement of state agencies and railroads in the quiet zone development process; gives communities credit for pre-existing safety warning devices at grade crossings; and addresses other issues, including pedestrian crossings within a quiet zone.

Requirements: The creation of a new quiet zone requires, at minimum, that each grade crossing be equipped with flashing lights and gates. Additional safety measures may be required to compensate for the absence of the horn as a warning device.

Hours: New quiet zones can be in effect 24 hours a day, or only between 10 p.m. and 7 a.m.

Horn volume, timing: The rule establishes the first-ever maximum train horn volume level - 96 decibels, but not louder than 110 decibels - and will reduce the amount of time horns are required to be sounded in those communities that decide not to pursue quiet zones to 5-20 seconds prior to a crossing.

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Emergencies: Train engineers would be permitted to blow horns in emergency situations where safety devices were not working, or to warn railroad workers on or near tracks.

Source: Federal Railroad Administration

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